

By: Watson

S.B. No. 1639

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to allowing certain wholesalers and distributors to  
3 purchase beer, ale, and malt liquor from the holder of a brewpub  
4 license.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 19.01, Alcoholic Beverage Code, is  
7 amended to read as follows:

8 Sec. 19.01. AUTHORIZED ACTIVITIES. The holder of a  
9 wholesaler's permit may:

10 (1) purchase and import liquor from distillers,  
11 brewers, wineries, wine bottlers, rectifiers, and manufacturers  
12 who are holders of nonresident seller's permits or from their  
13 agents who hold manufacturer's agents permits;

14 (2) purchase ale and malt liquor from holders of  
15 brewpub licenses;

16 (3) purchase liquor from other wholesalers in the  
17 state;

18 (4) (3) ~~[(3)]~~ sell liquor in the original containers in  
19 which it is received to retailers and wholesalers in this state  
20 authorized to sell the liquor;

21 (5) (4) ~~[(4)]~~ sell liquor to qualified persons outside the  
22 state; and

23 (6) (5) ~~[(5)]~~ sell ale and malt liquor to a holder of a  
24 private club registration permit.

1 SECTION 2. Section 21.01, Alcoholic Beverage Code, is  
2 amended to read as follows:

3 Sec. 21.01. AUTHORIZED ACTIVITIES. The holder of a local  
4 class B wholesaler's permit may:

5 (1) purchase and import malt and vinous liquors from  
6 brewers, wineries, rectifiers, and wine manufacturers and bottlers  
7 who are holders of nonresident seller's permits and from their  
8 agents who are holders of manufacturer's agent permits;

9 (2) purchase malt and vinous liquors from holders of  
10 brewer's permits, holders of brewpub licenses, and [~~from~~] other  
11 wholesalers in the state;

12 (3) sell the malt and vinous liquors, in the original  
13 containers in which the permit holder [~~he~~] receives them, to  
14 general and local class B wholesaler's permittees and, in the  
15 permit holder's [~~his~~] county of residence, to local distributor's  
16 permittees and retailers, including mixed beverage permittees and  
17 daily temporary mixed beverage permittees; and

18 (4) sell ale and malt liquor to a holder of a private  
19 club registration permit.

20 SECTION 3. Section 65.01(a), Alcoholic Beverage Code, is  
21 amended to read as follows:

22 (a) The holder of a local distributor's license may:

23 (1) receive beer in unbroken original packages from  
24 manufacturers and brewpubs and from general, branch, or local  
25 distributors;

26 (2) sell and distribute beer in the unbroken original  
27 packages in which it is received:

1                   (A) to the following, if located in the county of  
2 the licensee's residence: local distributor permittees, permittees  
3 or licensees authorized to sell to ultimate consumers, private club  
4 registration permittees, authorized outlets located on any  
5 installation of the national military establishment, or qualified  
6 persons for shipment and consumption outside the state; or

7                   (B) to other licensed distributors in the state;  
8 and

9                   (3) serve free beer for consumption on the licensed  
10 premises.

11           SECTION 4. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2017.